

**REMARKS**

Claims 1-9 are pending. Reconsideration of the application is respectfully requested.

Claims 1-9 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8 of U.S. Patent No. 6,548, 731 to *Mizutani et al.* As set forth on page 2, paragraph 2 of the Office Action, "[a]lthough the conflicting claims are not identical, they are not patentably distinct from each other because the claims and the specification of U.S. Patent No. 6,548,731 are broad enough to encompass or include that which is recited in the present patent application." Based on the filing of a Terminal Disclaimer in compliance with 37 C.F.R. 1.321(c), Applicant respectfully asserts that this rejection has been overcome. Therefore, reconsideration and withdrawal of the rejection are respectfully in order.

Based on the foregoing, this application should be in condition for allowance. Early passage of this case to issue is respectfully requested. However, if there are any questions regarding this Response, or the application in general, a telephone call to the undersigned would be appreciated since this would expedite the prosecution of the application for all concerned.

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Respectfully submitted,

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